

DEPARTMENT OF BENEFIT PAYMENTS



July 26, 1974

ALL-COUNTY LETTER NO. 74-137

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: PAYMENTS TO INDIANS

REFERENCE:

The following instructions are pursuant to recent Federal instructions concerning payments to Indians under Public Laws 92-203 and 93-134.

I. Alaska Native Claims Settlement Act (Public Law 92-203)

The Alaska Native Claims Settlement Act established twelve Regional Corporations, the shareholders of which are Alaskan Natives. The Act provides for the distribution of 100 shares of stock to each enrolled Native, an annual payment from the Alaska Native Fund, and investment income from shares of stock in the Regional Corporations. Federal program instruction provides that payments under this Act are exempt from consideration as income if they are exempt from taxation. Therefore, shares of stock and payments made to Alaskan Natives, other than income directly from stock investments, shall not be considered as income and resources in determining eligibility for, or the amount of, AFDC payments. As further information is received concerning the distinction between exempt and nonexempt payments under this act, we will pass it on to you. In the meantime, payments received so far, and to be received in the near future, are exempt.

II. Distribution of Funds Appropriated in Satisfaction of the Indian Claims Commission or the Court of Claims in Favor of Any Indian Tribe (Public Law 93-134).

Public Law 93-134 provides that any funds distributed per capita or held in trust for members of an Indian tribe by judgment of the Indian Claims Commission or the Court of Claims shall be disregarded as income

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and resources in determining eligibility for, or the amount of, AFDC payments.

In both of the above situations, such payments will be disregarded from consideration as resources as long as they are separately identifiable and not commingled with other non-disregarded resources.

Also, in both of the above situations, applicants for, or recipients of, aid who have been declared ineligible for assistance or who have received reduced assistance because of payments under either of these acts are to receive retroactive aid computed on the basis of the above described exemptions.

Any questions concerning this matter may be referred to the AFDC Program Operations Bureau (916) 445-4458.

Sincerely,



DENNIS O. FLATT

Deputy Director

Welfare Program Operations

cc: CWDA

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